

# The Superior Court of California

COUNTY OF SAN DIEGO

## EXECUTIVE OFFICE OF THE COURT

STEPHEN V. LOVE  
Executive Officer and Clerk  
Jury Commissioner

Post Office Box 122724  
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July 6, 2005

### **PRESS RELEASE** **NOTICE TO ATTORNEYS**

In accordance with Penal Code section 964, the Court proposes new local rule 3.1.5, to read as follows:

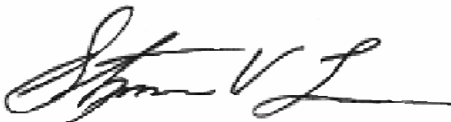
In accordance with Penal Code section 964 and the public policy set forth therein, prosecutors and law enforcement agencies should not submit police reports, arrest reports or investigative reports containing "confidential personal information" (as defined in subdivision (b) of Penal Code section 964) of victims or witnesses to the court in support of a criminal complaint, indictment, or information; or in support of a search or arrest warrant. Rather, prosecutors and law enforcement agencies should present the court with written declarations from law enforcement officers that are devoid of this confidential personal information.

In the alternative to providing declarations to the court, the parties may submit copies of police reports, arrest reports or investigative reports that are redacted of all "confidential personal information" of victims and/or witnesses. The redacted copies of these reports provided to the court shall be attached to a declaration attesting to the fact that all "confidential personal information" of victims and/or witnesses has been effectively redacted from the reports.

All agencies should bear in mind that the court will not undertake the task of redacting any confidential personal information of victims or witnesses from documents submitted for the court's consideration. Rather, the burden to ensure that this information is not included within any documents presented falls squarely on the agencies preparing and presenting them to the court. In this respect, the court may exercise its discretion to accept or reject a police, arrest or investigative report containing confidential personal information that is submitted in support of a criminal complaint, indictment, or information; or in support of a search or arrest warrant.

This notice is issued pursuant to rule 981 of the California Rules of Court. Additional proposed changes to local rules with an effective date of January 1, 2006, have been approved by the Court in principle, submitted to the bar for comment, and posted to the court's web site at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov).

Any comments or concerns regarding these proposed changes should be forwarded to Rules Committee Chair Judge Lisa Guy-Schall c/o Darlene Dornan, Director of Legal Services, P.O. Box 122724, San Diego, CA 92112, prior to August 5, 2006.



STEPHEN V. LOVE  
Executive Officer

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